

many in the Middle East toward us is due to the fact that because we have been trading with undemocratic systems that have not shared that vast wealth with the ordinary people of those countries, figured out some more representative system of government where all parts of the country could have roads and hospitals and children would have the ability to go to school, not just because you are the king's cousin or because you are Sunni as opposed to a Shiite, that there are divisions that do not get full representation, economics underpins so much of the trouble in the world today.

Mr. Speaker, I guess that is the reason we fight so hard because we know if we do not do it right in the first place, we are going to get a reaction down the road that will be like a boomerang.

Mr. BROWN of Ohio. Mr. Speaker, one of the joys of this job, serving as one of 435 Members of this body that we call the House of Representatives, is that we are at an interesting time in our history. We are clearly the wealthiest Nation on Earth, the most powerful militarily. We clearly are a country that has the most opportunity to do good in the world. One of the ways we do that is using our economic prowess in trade agreements; we could do this, to lift up standards around the world.

Mr. Speaker, that means when we trade with Mexico, for instance, and I think we should trade with Mexico and do a lot of trading with Mexico, rather than pulling our truck safety standards down to Mexico's level or pulling our food safety standards down to Mexico's level, or pulling our safe drinking water and clean air and anti-pollution standards down to Mexico's level, that we can instead pull their standards up. We have the ability to do that. We can write trade agreements that say when an American company invests in Mexico, they have to dispose of their waste in the same way there that the Environmental Protection Agency makes them do in this country.

These companies, the chemical companies, the steel companies, the automobile companies, they do not do the right things in the environment in the United States because they are being kind, they are doing the right things because it is Federal and State law, and local public health department regulation that they dispose of their wastes in a certain way that keeps the environment cleaner and healthier.

We could say to American companies in Mexico that they have to follow the same environmental standards. Pesticides that we banned here are not made and sold to other countries by American companies. We could say in China, sure, we will trade with you in China. We will be glad to buy and sell and trade with the People's Republic of China; but in return no more slave labor, no more child labor, no more selling nuclear technology to Pakistan, no more shooting missiles at Taiwan because they are holding a free election.

We are a wealthy enough country to say if you want access to us, you cannot behave certain ways. If China wants to sell their products into the United States, and clearly they do because the U.S. buys 40 percent of China's export, and they cannot say we will sell it somewhere else, because they are already trying to sell as much as they can everywhere else. If we say we are not going to buy your goods anymore if you keep using child labor and if you exploit 15- and 16- and 17-year-old girls and break their spirits and bodies and souls, and throw them out on the streets when they are 22 and make them work in the sex trade and give them no other choice, we could do that; and that is why it is so disappointing that we pass trade agreements that do exactly the opposite.

Instead of lifting up environmental standards around the world, lifting up wages around the world and lifting up food and drug safety and auto safety, instead of doing that we are bringing our own standards down. As wages stagnate in this country because of threats to move abroad, as jobs are lost, as we weaken public health laws in this country closer to what they are in other countries, we are giving away so much that we fought for in this country for 100 years.

I have a pin that I wear that is a depiction of a canary in a bird cage. One hundred years ago mine workers used to take a canary down into the mines and if the canary died, workers got out of the mines. In those days, a baby boy born in the United States could live to be about 46; a girl could live to be about 48, the average life expectancy. Those workers had no protection from the government. Their only protection was the canary they took down in the mines.

But because of progressive government fighting against the gold mining companies, the coal companies, against other wealthy, rich advantaged interests in this country, we were able to pass minimum wages laws, worker safety laws, pure food laws, automobile safety laws, and all of the things that enabled people to live 30 years longer, enabled people to live better, longer lives through Medicare, through Social Security, all of the things that we in this body and in State legislatures and public groups and citizens' organizations have done to make the standard of living better in this country.

Mr. Speaker, I do not want to give that up as a Nation. That is why we need to defeat Trade Promotion Authority and write trade agreements that lift people up, not pull people down. That is the American way.

When U.S. Trade Representative Bob Zoellick, appointed by the President, when he says those of us like the gentlewoman from Ohio (Ms. KAPTUR) and the gentleman from Michigan (Mr. BONIOR) and the gentleman from Michigan (Mr. STUPAK), when we oppose these trade promotion authorities, we are not helping them in the war

against terrorism, implying that people like myself and the gentlewoman from Ohio (Ms. KAPTUR) are soft on terrorism, implying that people like the gentleman from Ohio (Mr. BROWN) and the gentlewoman from Ohio (Ms. KAPTUR) are a little less patriotic because we are not supporting the administration on these agreements. The fact is the right side of American values is to lift people up around the world, not pull people down.

Mr. Speaker, it is important, as the gentlewoman from Ohio (Ms. KAPTUR) and I discussed, that Members vote against trade promotion authority.

Ms. KAPTUR. Mr. Speaker, I thank the gentleman for allowing me to join him this evening in our great efforts to defeat Trade Promotion Authority and move toward more democratic trade agreements for the world.

#### HISTORY OF THE CIVIL WAR, MILITARY TRIBUNALS AND DETENTION

The SPEAKER pro tempore (Mr. REHBERG). Under a previous order of the House, the gentleman from Colorado (Mr. MCINNIS) is recognized for 60 minutes.

Mr. MCINNIS. Mr. Speaker, obviously the last hour of conversation was very one-sided, and clearly no opportunity to rebut it; so I intend to address a couple of comments by the gentlewoman from Ohio (Ms. KAPTUR) and the gentleman from Ohio (Mr. BROWN) because I think clearly they were either confused or there was some confusion in the research that they did for their comments.

Then I intend to move on from that and address my primary subject this evening, military tribunals, the question of treason against the individual who claims that he is an American, apparently is an American, and has been captured by the Northern Alliance and now turned over to American troops.

I would also like to talk about what is called detention of certain individuals in the country under this investigation and protection of the security of the Nation.

First of all, let me address a few comments made by the gentlewoman from Ohio (Ms. KAPTUR). First of all, it would be some benefit to her to study history of the Civil War. She would find, probably to her surprise, that the Civil War was not driven by economics; the Civil War was driven by the principle of slavery.

Ms. KAPTUR. Mr. Speaker, will the gentleman yield on that point?

Mr. MCINNIS. Mr. Speaker, if the gentlewoman will not interrupt me.

Ms. KAPTUR. Mr. Speaker, the gentleman from Colorado (Mr. MCINNIS) mentioned my name.

Mr. MCINNIS. Mr. Speaker, I have the floor and I ask the courtesy that that rule be respected, and say to the gentlewoman from Ohio (Ms. KAPTUR), I would be happy to yield to the gentlewoman on another occasion. However,

they had 1 hour of uninterrupted time. Perhaps at the end of my hour, I would be happy to have that conversation with the gentlewoman. Prior to that, I have no intention of yielding.

Mr. Speaker, let me go back to the Civil War. The comment made about the Civil War was driven by economics, come on, give me a break. It was not economics; it was slavery.

Let us go on to another comment. The Middle East problems are because of trade. Jimminy Christmas, somebody has to study some history here before those kinds of comments are made to our colleagues.

Clearly there are economic issues anywhere in the world; but the economic issues, contrary to what the gentlewoman from Ohio has said, they are not the driving problem in the Middle East. What I would suggest to the gentlewoman, with all due respect, is to take a look at the religious history of those countries, and I think she will find more of the fundamental problem in the Middle East has to do with the religious differences and the religious histories of those regions of the world than it does whether or not America allows their President to have authority on Fast Track.

I think it is a little unfair for any of us, and this includes the gentlewoman from Ohio, and I say this with due respect, nobody else is here to rebut it, and I think the gentlewoman before she carries on about a personal conversation between she and the President of the United States, especially a conversation that was not intended to be of kindness towards the President of the United States, that those conversations also allow for a response from the executive branch so we hear both sides of the story. It is not to question the accuracy of what the gentlewoman from Ohio said. Maybe she was accurate in her comments about what the President said, but I think the President or a representative of the executive branch ought to be included in this debate so we hear both sides of it.

□ 2215

Finally, let me stress, and then I will move on to the comments of the gentleman from Ohio (Mr. BROWN) and the comments of the gentlewoman from Ohio (Ms. KAPTUR), let me tell my colleagues, an isolationist view is not going to cut it. If we had adopted the type of view that is proposed by the gentlewoman, how would we ever build a coalition, for example, to help us in our war against terrorism? Trade has to be fair trade. There is no question about it. I do not know one of my colleagues, I do not know a Democrat, I do not know a Republican, I do not know either one of them, that proposes that the United States enter into an agreement that puts the United States at a disadvantage. I know none of my colleagues that want the United States at a disadvantage in a trade agreement. Maybe I am wrong, and I stand corrected. By the way, I will yield time

to any one of my colleagues that wants to come up and say they are willing to agree to an agreement that puts the United States at a disadvantage. None of us agree to that. Of course not. That is pretty fundamental. The only reason people are supporting trade is because they think in the long run it benefits the United States of America. It is not because of, as some have suggested, corporate greed for an effort to revolutionize the Middle East or some of these other things that have been mentioned, I think somewhat recklessly. It is not that.

Mr. Speaker, all of us in our own heart of hearts have differing views on this floor, but I can tell my colleagues that the view of just saying that look, the only time we are ever going to agree with trade with other countries or to trade agreements with other countries is the idealistic view that everything the United States wants is everything the United States gets or we are going to take our ball and go home. I think an agreement ought to benefit the United States of America, but I do not think we are ever going to reach many agreements, including with many constituents who I think are benefited in the State of Ohio, I do not think we are going to reach many agreements if it has to be 100 percent for the United States and zero for the other side.

Take a look at our agreements with Canada. They are critical about the free trade agreements we have. Look at the Canadian trade. Sure, we have disagreements with them on beef, we have disagreements with them on some of the fisheries and so on. But take a look at all of the products that go back and forth across those borders. That border is probably the most traded border in the world. It has been a pretty darn good relationship, and the United States has benefited from it over the years.

Now let me comment about the comments of the gentleman from Ohio (Mr. BROWN) which I think were most unfortunate. The gentleman made a comment, and I am quoting to the best of my ability here: We should not pull our standards down to Mexico, our environmental standards, our labor standards, et cetera. Remember what was just said. We should not in these trade agreements pull our standards down to Mexico. I challenge the gentleman on that. I challenge that gentleman to show me one trade agreement, one trade agreement that requires the United States to reduce its environmental protections within the boundaries of the United States of America. I challenge the gentleman from Ohio, contrary to what he has said, but I am asking him to show that he is correct. I am asking him to buttress his argument with facts, show me where the air quality of the United States is required to be reduced or made more dangerous because of some kind of trade agreement where we agree with some other country that our air standards, our

water standards, our sewer standards, our hazardous waste standards, should be lowered because the other country wants to trade with us. That, in my opinion, is flat wrong. The facts do not support it. Yet the statement is made.

If I were not here, this statement would have gone unrebuted. The statement is freely made on this House floor to all of my colleagues that when the United States, when they asked the United States to give the President fast track authority, what they are doing is asking the United States to lower its environmental standards for the United States. That is not correct. That is inaccurate. I would hope that the gentleman tomorrow makes a corrective statement.

Now, I give the gentleman credit. The gentleman is a very bright man, very capable, obviously. So perhaps the gentleman misspoke, and I would hope that tomorrow he has the opportunity with the RECORD to correct that kind of statement because, frankly, it is now a part of the RECORD, and I think we have to be very careful about those statements that continue as a part of the RECORD and may later on be introduced in some type of proceeding.

My comments were not intended this evening to center on a rebuttal of the previous 1 hour. Let me make it clear to my colleagues out here, my purpose in rebuttal was simply that no one else was responding to these charges and, under the rules, the previous speakers did not violate any rules, they spoke in the time that was allotted to them. They were allotted an hour and they gave their side. Well, I did not intend to speak on their specific subject. I do feel that sometimes it is a little unfortunate up here that one side speaks and the other side is not heard, so that is exactly why I spent the first 10 minutes of my comments this evening at least giving somewhat of a perspective of the other side, so we can have a little bit more of an open debate based on facts versus emotional charges of which, in my opinion, the previous hour was full of.

Let me move on. We have seen in the news in the last couple of days something that I guess we should have expected would happen but, nonetheless, we were all taken back a little bit by it. None of us really envisioned that an American, an American young man would go over to Afghanistan and join the Taliban. None of us suspected that a young man would take on the cause of atrocities against the people that a government represents. Take a look at the abuse of the women, the abuse of the people of that society. Well, it happened. A young man, 20 years old, I guess his name is Richard Walker, Mr. Walker. He has changed his name legally. I do not know what the new name is, but at one point he was known as Mr. Walker, 20 years old.

Let me give some facts, the facts as they have been presented to us, we will have to determine, these are subject to change, but as of right now this is apparently what happened. The young

man dropped out of school, decided to convert to Islam and, at some point in his conversion to Islam, decided to take or adhere to a very radical interpretation of Islam, which most of the people of Islam that I know of say is not a part of Islam, that this radical approach by the Taliban and by bin Laden is an incorrect interpretation of the Koran. But this gentleman, this 20-year-old man, decided to take the study and decided to affiliate with the radical aspect or the radical interpretation, especially when it came to Jihad. So he took up arms apparently with the al Qaeda in support of bin Laden, fighting, fighting his brothers and sisters in the United States of America. In other words, the facts show that in an earlier e-mail to his father; now, I just heard "father," I would assume to his parents, let us just say to his parents at this point, e-mailed arguments in support of the right to blow up the USS *Cole*. Remember, that is the ship, I say to my colleagues, that a few months ago a boat full of explosives blew up the side, I think it killed 18 sailors. Also, at the time of his detention when he was captured in Afghanistan a few days ago, his comments were such that he supported the fighting action and the acts of terrorism taken against the United States on September 11. On top of this, this American citizen was also found with an AK-47.

So those are facts. Now, each of those facts on their own, well, with the exception of maybe the AK-47, but the fact that an American citizen agreed that the USS *Cole* should have been bombed, that in itself is not a charge. I mean we do have freedom of speech in our country, although certainly that is a very, very small, small minority of opinion from this country. Certainly he is entitled as an American to make those kinds of statements. A person saying that they support actions, the terrorism actions against this country on September 11, those statements made by an American citizen, while clearly wrong, it is a right of freedom of speech to make them.

But it is the accumulation of these that begin to outline exactly what I think this individual should be charged with. When we take those comments and we add them with the fact that this young man was captured in a battle when the opposing troops who fired upon American soldiers with the intent of killing American soldiers, who fired upon American aircraft and allied aircraft with the intent of bringing down those aircraft, who was involved with an organization that we know has savagely killed people in that country and, of course, was also the organization responsible for the attacks on September 11, when we combine it with that and the fact that he was arrested with an AK-47, we begin to say, wait a minute; this is an American who has turned as a trader against his country, he has betrayed his country, he has left America, maybe not formally by de-

nouncing his citizenship, but the fact is, there may be an automatic denouncement of one's citizenship if, in fact, one takes up arms with the enemy and fights against the United States of America and attempts to kill citizens of the United States of America in an action, in a war against the United States.

That is a question that I am not really prepared to answer tonight, but I was interested in what would we charge this young man with, or should we charge him with anything? We have heard some argument come out in the last couple of days that oh, the poor little kid, the poor young boy, he is confused. We ought to do what some of the Afghans are allowed to do. The Taliban that are Afghans of nationality, some of them have been allowed to surrender their arms and go home. There is some argument that this young man should be allowed to drop his arms and come back to the United States and go home.

That is a hard one for me to swallow. I do not think we have that case at all. I think what we have is a clear-cut case of treason. I say this carefully. I have been spending the last several hours in my office doing a lot of research. I listened to, frankly, Jonathan Turley, an expert in constitutional law. I should let my colleagues know I was a lawyer, I am legally educated, I am not a constitutional lawyer, do not pretend to be; but Mr. Turley is, and I listened to his arguments this evening on the Bill O'Reilly Show, and both of those individuals spoke with some eloquence on this issue.

I want to look at the Constitution itself. Treason is such a serious crime. In our Constitution, we do not describe within the four corners of our Constitution homicide, we do not talk about burglaries, we do not talk about speeding or any of these other acts. There are a couple of acts that we talk about, but the first crime of this Nation, and probably the most egregious crime against this Nation is addressed in the Constitution, and I have it right here in front of me. That is the crime of treason. So I am asking my colleagues tonight, because we might, and I hope we do not, but we might discover there are some other Americans who have betrayed this Nation who have committed treason, in my opinion, against this country, and we really ought to assess, should we just turn our cheek in the other direction simply because the gentleman had an American citizenship card? Or should we look at how horrible the act of treason is against this country, so significant that the drafters of our Constitution included it within the Constitution, the definition and the description of treason against this country.

Let me refer my colleagues here to Article III under the Judicial Department, section 3, Treason against the United States. "Treason against the United States shall consist only in levying war against them," them refers to

the United States, "or in adhering to their enemies." In other words, they are going to join the enemies, giving them aid and comfort.

□ 2230

Giving them aid and comfort: "No person," and this is interesting in the crime of treason, "no person shall be convicted of treason unless on the testimony of two witnesses to the same overt act or a confession in open court."

There are a number of issues presented by this paragraph. Let us go section by section. Let us go in reverse order.

First of all, a confession in open court. Where will this case be tried? Is this the type of case we would try in a military tribunal? I think there is wide agreement this would not be tried in a military tribunal. He is an American citizen. The military tribunals were not intended for American citizens. So because of the fact that he is an American citizen, it probably will be tried in the Federal courts, not a military tribunal nor in the military courts.

Two witnesses to an overt act. Why is it important? Our forefathers saw treason as such a horrible crime against the Nation, as a crime of such significance against this Nation, that they said we could not build it on circumstantial evidence alone, we actually had to have two witnesses to the act of treason.

We do not want to convict someone of treason, was the thought of the drafters of the Constitution, unless we know and have witness to the treasonous acts carried out by these individuals. So that is stated very clearly.

Now, let us jump, here. Giving them aid and comfort. There is no question that the facts as we know them so far are that this individual gave aid and comfort to the Taliban. He considered himself a member of the Taliban. He probably had dual citizenship, and there is actually some point about dual citizenship.

This is a further interpretation of treason:

"An American citizen owes allegiance to the United States of America," wherever they may reside. So in our interpretation, under our Constitution, it is clearly the intent of the Constitution that an American citizen owes allegiance to the United States, owes allegiance to our Nation, wherever they may reside. It does not matter whether one lives in Japan, whether one lives in Afghanistan, whether one lives in Europe, that as a citizen of the United States of America, one owes allegiance to the United States of America. Dual nationality does not alter that situation.

So some might say, wait a minute, he was a citizen of the Taliban government and he was a citizen of the United States of America, so he had a dual citizenship. He has a conflict. He had an obligation to carry out the wishes of bin Laden and the Taliban government and the al Qaeda.

But we have already addressed that situation. This is not a new factual situation. It is very clear: wait a minute, it does not matter what other countries one has a citizenship to, but if one is a citizen of the United States of America one must have allegiance to the United States of America.

That standard of allegiance is not in any fashion diluted by the fact that one also has citizenship of another country. So keep that in mind, because I am sure as the defense attorneys start to put this together, that will be an argument as brought up initially. It will be quickly squashed by the courts, because it is clear under our law that one's allegiance to the United States of America is not diluted, that the standard of allegiance is not diluted because one has dual citizenship.

Now, we are already beginning to see the old defense tricks starting to bubble up in some of these interviews that I have seen just in the last 24 hours. I do not practice law anymore under the ethics of the House, but when I practiced law, I was able to observe a lot of criminal defense work. I was not a criminal defense attorney. In fact, I need to be fair and give a little disclosure: I used to be a police officer. I served in a squad car on the street before I went on to law school.

I was not a prosecuting attorney, either; but I did like to observe, out of interest, a defense attorney work. There is kind of a basic rule, a fundamental rule if one is going to defend somebody.

Number one, if they are innocent, that is the best defense one can get. If one's client is innocent, you could not ask for a better defense, because the facts will play it out. It is a strong weapon to go into the courtroom with, that is, that the client is innocent.

But a lot of times one does not get that benefit. A lot of times the client is not innocent. Then what one tries to do is to divert from the lack of innocence of the client and divert attention to the people who are accusing the client.

For example, they might allege sloppy police work or that the witness was having an affair or is a known liar or has some incentive to turn witness against the client; do anything you can to divert from your client's lack of innocence to some kind of vendetta or sloppy work, and therefore your client has been unjustly charged.

If those two steps do not work, then go to the traditional, and probably as long as this country has been around, probably as long as defense law has been around, but certainly much more prevalent in this country in the last 10 or 15 years, go to that old standard, "My client was a victim." That is exactly what we are beginning to see here in the last 24 hours with this young man who I allege committed treason against the United States of America.

By the way, I have sympathy, but that is about the extent of it, for the parents of this child. I am a parent, about the same age as the father. I

would be horrified if one of my children was doing the same thing. But the fact is that it does not forgive it.

What we are beginning to see is that this young man was a victim; that somehow, as the father said yesterday, he was brainwashed; or he was a victim of the Taliban; or they put pressure on him; or, you know, he was such a young man.

Let me tell the Members, the people he was shooting at were young men and women, too; young men and women who were not brainwashed, so to speak; young men and women who obeyed the allegiance to the Constitution of their Nation; young men and women out there who this young man was trying to aid and comfort the enemy of, and joined the enemy in attempting to wipe out the United States.

Those thousands and thousands of citizens killed on September 11 were innocent. And by the way, there was the most fundamental violation of wartime moral ethics, and that is, one does not attack innocent citizens; one attacks a military target under a situation like this.

But what we are beginning to see is some kind of sympathy buildup for this young man, because he was young and, oh, my gosh, the parents are horrified. I understand the parents, by the way; I feel for them. But that is all the further it can go. Our Nation cannot allow, cannot allow us to turn our cheek on the Constitution, on an act like treason; an act, as I said earlier in my comments, that was taken so seriously it was put in the Constitution.

It is right here. It was put in the four corners of that Constitution to tell us that treason is probably not only the first crime recognized by this Nation, but one of the most serious crimes recognized by this Nation.

So I am going to look with interest to see exactly how this is handled. And obviously, from my statements, Mr. Speaker, this evening, Members know that my thoughts are that this gentleman should be tried in the Federal courts for treason against the United States of America and that he should be prosecuted to the fullest extent of the law.

Let us move on. We have had a busy evening so far. I want to talk about another issue that is very important, that is, military tribunals.

There has been a lot of talk. The talk radios are full of it, the newspapers, lots of editorializing on both sides of the issue. So I wanted to lay out some of the facts.

I have spent a lot of time. I have been on several shows talking about military tribunals. I think I am somewhat knowledgeable on the subject; I do not claim to be an expert in much of anything. But the fact is, I do want to share my views on these military tribunals. I think there are some legitimate, good reasons to support military tribunals.

I know some of my colleagues are dead set against this kind of thing and

that somehow they have bought the ticket that this is a violation of civil liberties, that this is unconstitutional, et cetera. I will address those points. All I am asking is that for a few minutes Members give me consideration of presenting the other side of the issue, the side that supports the need for military tribunals.

First of all, Members should remember that the actual rules of the military tribunal have not been laid out specifically; but I think we can feel very confident, and I think they will be required by the standards set for military tribunals throughout the history of this country, that the defendant obviously will have the right to counsel; the defendant obviously will have the right to testify; the defendant will have a full and a fair trial; the defendant can be assured that they will not be prejudiced against because of race, gender, or status; that they can freely exercise their religion while in captivity; that they will be given food and shelter and the other things that are provided for people, citizens that are alleged of a crime.

So do not let people tell us that for some reason they are not going to get legal counsel. I will talk about the secrecy issue a little later on, but the secrecy is not going to apply to the extent that it denies the defendants in these cases a full and a fair trial. If it did, they would be unconstitutional.

Now, the constitutionality of military tribunals has twice been addressed by the United States Supreme Court. Twice the United States Supreme Court has upheld the constitutionality of military tribunals. So as we hear people say, well, it is unconstitutional, I think we need to say, wait a minute, be a little more specific. If the military tribunals follow the same standards or the same course of conduct as previous military tribunals have, they have been found constitutional. So on what basis can people say they are unconstitutional?

The fact is, they are constitutional. There is a lot of history to military tribunals. They did not just start with President Bush. Remember, President Bush's priority is not to get the defendants, not to create some type of new Constitution in this country, not to usurp the current Constitution. President Bush's primary drive here is to protect the security of U.S. citizens.

When we have to decide, okay, which way do we lean, in favor of protection, home security, homeland security for the citizens of the United States, or should we sacrifice homeland security for the citizens of the United States to go out and quell the concerns of a few civil libertarians, who, by the way, do not have the law on their side? The law is not on the side of those who are saying it is unconstitutional; the law is on the other side, saying it is constitutional.

The President I think very accurately and very correctly has made his point clear. His number one priority is

the security of the United States of America. The people of the United States of America come first. The security of those people is an inherent obligation not only of the President of the United States as Commander in Chief, but the security of this Nation and the security of the people of this Nation is an inherent obligation of everyone sitting in the United States Congress or the United States Senate or in any public office, or working for the government. Their number one priority is the citizens of the United States and the protection of the citizens of the United States.

Let me give just a little history. Many people are surprised by the history of these tribunals. This history started in the Revolutionary War. Military tribunals were held at the very beginning of this country in the Revolutionary War. There were spies that were caught behind U.S. lines during the Revolutionary War, military tribunals in 1776. President Lincoln's assassination, 1865, a military tribunal; military tribunals right there under the assassination under President Lincoln, or because of President Lincoln's assassination.

World War II, Japanese officers who failed to prevent their troops from committing atrocities during World War II, those Japanese officers were subject to a military tribunal. That tribunal was taken to the United States Supreme Court, and it was found constitutional.

Nazi saboteurs who landed on the coast of the United States in 1942 with the intent to destroy industrial facilities. Those military tribunals also had as part of the punishment death penalties which were carried out against these saboteurs. The United States Supreme Court also found that military tribunal was constitutional.

There is history in this country. This is not a precedent-setting event. Military tribunals are a necessity.

Now let us talk about why are they necessary. What are some of the reasons that we have to have them? I think today, I have to tell the Members, I have to give credit to the editorial today in the Wall Street Journal. In one editorial, I think the Wall Street Journal set out probably as clear a picture as I have seen in this debate as to the justification for the military tribunals.

I am not going to read the editorial to Members, but I will talk about and discuss certain elements of that editorial.

They talk about, of course, the recent cases that have pertained to acts of terrorism: the first attack on the World Trade Center, the bombings of the U.S. embassies in Africa. The Wall Street Journal talks about the good news about these trials; and by the way, they were held in Federal courts. The good news about these trials was they managed to get convictions. The bad news was that they were protracted, long trials, expensive trials,

and very dangerous trials to the participants, meaning the jurors, the judges, the court reporters.

Everyone that had everything to do with the government side of the business was under a threat of danger. In fact, it says, some of those judges involved in those cases still have security measures taken on their behalf to protect them as a result of holding those trials.

Now, think for a moment, and this is not in the Wall Street Journal editorial, but think for a moment on these military tribunals. Let us just take out of the air, let us say we capture some al Qaeda members. Say we capture 100 of them. That is not unreasonable. There are thousands of them.

Let us say 100 of them are captured and brought to the United States. Where are Members going to find 100 additional Federal judges, 100 Federal courthouses, that can be cordoned off, blocked off, checked every day for anthrax, checked for bombs? Where are we going to find a courthouse where we can get a jury that is willing to sit, a jury deciding on al Qaeda, when we know we do not have every one in our custody; when they are constantly reminded in this trial of what happened in New York City on the acts of terrorism?

Where are we going to find, without hampering and deadlocking the rest of the Federal court system, where are we going to get all of these judges to decide on this? Then what do you do, provide those judges with lifetime round-the-clock security for the rest of their lives?

□ 2245

That is why an option of a military tribunal which is constitutional, which allows the defendant a fair and full trial, which allows the defendant legal counsel, which allows the defendant the same rights of food and shelter and a nondiscrimination allowed to any other prisoner in the United States, that is one of the reasons these military tribunals make sense.

Let us go on, because the issue you have heard a lot of, "secret," and, boy, do they play up on the word "secret." Oh, my gosh. Secret. You cannot have a secret hearing. Well, wait a minute. Sometimes it is necessary to have a secret hearing because there are a lot of people that would like to find out exactly what we know about their organizations, their terrorist organizations.

For example, they say in here in the Wall Street Journal, they talk about that the World Trade Center trial, remember that trial a few months ago, in fact, the defendants were sentenced I think the day or 2 days after the September 11 bombing or act of terror. They talk about what was revealed in the first trial which was held in open court, not in a secret hearing.

This testimony that was open to the public including the al Qaeda network, the testimony in the first World Trade Center trial included lengthy testi-

mony about the structure and the stability of the twin towers.

So, in other words, these twin towers, the World Trade Centers, the stability and the structural makeup of those towers was discussed in open court in the first World Trade Center, so that the people that were interested in taking down the towers could figure out why a bomb in the basement did not bring it down, but what would in fact be able to bring it down based on the structure weaknesses and the stability. That was in open court.

Do you think that is something we ought to be discussing in an open court? In other words, daring them to try it again and providing them, as the Wall Street Journal says, it is almost like giving out your troop movement. You are engaged in a war. We do not want to hold it secret from the enemy where our troops are going to be, so we better disclose our troop movements before we go into it. That is exactly what we are concerned about. The confidential information. How we found out about these al Qaeda. How we arrested them. What are our resources? Who are our sources of information? What kind of satellite intervention, what kind of interception did we use?

All of those secrets could be forced to be revealed in an open court setting. So what we have proposed is a military tribunal. And while a tribunal would allow facts like that to be held in secret, it would not deny the defendant a fair and full trial. It would fall within the bounds of constitutionality, and we can bet that any conviction taken out there will certainly go to the United States Supreme Court on the question of constitutionality. And I can assure you that the prosecutors, the United States of America, the people of the United States of America, do not want a trial that is going to be found unconstitutional. They do want to stay within the bounds of the Constitution. But they also want the priority, while staying within those bounds, that the priority should be homeland security, that we need to install just a little common sense.

Do not buy into some of the defense bar on this thing. Let me proceed.

In the embassy bombing, remember our embassies that got bombed? Government Exhibit 1677-T was al Qaeda terror manual. By entering the manual into evidence, the United States was telling al Qaeda that it knew its operating procedures and inviting it to change course. That was bad enough during peacetime, but in the middle of the war against terrorism it is akin to disclosing troop movements.

Speedy justice. Talk about the speed of these trials. Can you have a trial that is held on a faster basis without it being declared unconstitutional? Yes, you have to take certain precautions. You have to make sure the defendant is assured the right of counsel. You have to make sure the trial is held so it

gives a full and fair trial to the defendant. But once you meet those standards of the Constitution, there is nothing in the Constitution that requires these trials be prolonged month after month after month, and that is exactly what happened. With the experiment we had in trying the first bombing of the World Trade Center, that is exactly what happened in that trial and the subsequent bombings of the embassies. Let us talk about it.

Speedy justice is also not a hallmark of civilian courts. The first World Trade Center trial took 6 months, in 1993 to 1994. Six months of locking off that courthouse. Six months of trying to keep secret who the jurors were, who the judges were, who the court clerks were, who the security guards were. As I said before, the security for the judges especially continues to this date on many of these cases.

A second trial lasted 4 months in 1997, a second trial dealing with the World Trade Center. A third trial, the blind sheik, took 8 months in 1995, 8 months of daily trial in the Federal Court Center. And the embassy bombing trial last spring lasted 3 months. That is the one where the sentencing took place September 12 in a Federal courthouse a few blocks north of the World Trade Centers.

Now, the Wall Street Journal says, it brings it to the fact that all these trials were held under heavy security and great risk to the participants. Federal courthouses are heavily trafficked public buildings in dense urban areas, and thus difficult to protect. Effective security requires more than installing metal detectors or closing off adjacent streets.

A military base is the safest venue for terrorist trials, but even that security is not a simple matter. It took a year to prepare a camp in the Netherlands for a trial of those accused of bringing down Pan Am Flight 103.

So the Wall Street Journal goes on further and says, look, from a practical viewpoint it does not make sense to hold these trials or tribunals or have trials in Federal courts in the middle of a populated center. It makes sense for the protection of the population around that courthouse, for the protection of the people working in that courthouse, it makes sense to have these trials, considering the backgrounds of these individuals and the allegations against them, to have these trials on a military base.

Now the military base does not prevent legal counsel from representing their client, does not prevent them from going on the base. The defendant will be able to have military counsel. But it does protect society. Again, some people are confused. Some people are beginning to adopt the politically correct thinking of whatever the liberal defense bar, in some cases, not all members of the defense bar, whatever they want we better satisfy them. Even though we know it is constitutional, even though we know the jeopardy that

we are placing other American citizens in, we better have it down at the Federal courthouse. You know why they will push hard on that, some defense attorneys, especially the defense attorneys that will represent the members of the al Qaeda, because they know under pressure the United States will probably fold and make a plea bargain for their clients.

The more you can force the government to disclose military secrets like satellites, who the names of their spies are, the more you can force the United States to hold a trial in a publicly populated area, the more pressure you are putting on the government to do a plea bargain. That is exactly why you will see these points pushed with such vengeance by the defending attorneys.

Same thing with the juror safety. The usual rules in civilian terrorist trials is anonymity for the jurors. But it is hard to believe that the jurors are going to consider that adequate protection after September 11. Judges are even more at risk.

Two Federal judges, as I mentioned earlier, two Federal judges in New York remain under tight security to this day, long after the end of those terror trials.

The larger point here, and I think this is very, very important for our discussion this evening, the larger point here is that military tribunals are not some "Big Brother" invasion past the normal rules of justice. In other words, what is being said, this is not an invasion of the rules of the Constitution, this is not a violation of the civil liberties of American citizens. In fact, it protects the civil liberties of American citizens. In fact, it is about the home security of the United States of America, about the security for every man, woman and child within this country that are American citizens, or even visitors who are not American citizens but residing in this country.

This is not an invasion of rights. This is not an effort by the President of the United States to somehow abscond with the Constitution of the United States. It is his inherent obligation and our inherent obligation to conduct these in such a way that we protect the home security of this Nation while still giving a fair and full trial to the defendant, which can be realized under a military tribunal.

Let me go back to the Wall Street Journal. The larger point here is that military tribunals are not some Big Brother invasion across the normal rules of justice. They are a common-sense and historically well-established way to cope with the unusual demands of war against terrorism. As recently as 1996, the Clinton administration rejected Sudan's offer to turn over bin Laden because it did not think it had enough evidence to convict him in a military court. A military tribunal would have been very handy at that point in time because of the pressures that would have been applied by, frankly, the defense attorneys working in this case.

Now, the Defense Department, we would expect here in the next few days, would have probably many more specifics in regard to these military tribunals. What I am saying to my colleagues tonight is before you jump on the bandwagon of criticizing these military tribunals, do a couple of things. Number one, use common sense. And when you are thinking about common sense, think about, number one, are we protecting the Constitution? Common sense would say, well, is there some history to it? The answer would be yes. We have had military tribunals throughout the history of this country, starting with the Revolutionary War, as a result of the Lincoln assassination, as a result of two or three acts in World War II. We have a history of military tribunals.

Common sense says, okay, there is a history. The facts point out there is a history. Is it constitutional? Common sense again says look at the facts. The Supreme Court on two separate occasions has answered that very direct question and the answer has been yes, they are constitutional. Use some common sense about the security of the people that will be involved in the trial. How can you guarantee the security of some regular Joe or regular Jane down there and say, hey, we want you to serve on the jury against one of these people that we think was connected with the terrorism acts of September 11, do not worry about your security?

What are you going to do with these judges? Protect them for the rest of their lives, or jury for the rest of their lives? Think about the logistics. Think about common sense.

Does it make a lot of sense to have these trials at the Federal courthouse in downtown Denver or in New York City, in downtown New York City, around populated centers? Or does it make more common sense because it is constitutional to do it, to hold it out on a military base where you allow the defendant still a fair and full trial and the right to counsel?

I think it is so important as we discuss there that you not sign on to this argument that on its face military tribunals make no sense; that it is a move by the Bush administration to somehow subvert the Constitution.

In fact, it is my belief that a lot of the arguments against military tribunals today are in fact not based on real objection to military tribunals, but instead designed as a political weapon against the Attorney General. That in fact they are designed to try, and somehow because President Bush is so popular today, that somehow the way to try and dent Bush's popularity is to go after his Attorney General. And so military tribunals use the sensitive words like secretive and lack of rights and unconstitutional. I think my comments showed you tonight, one, the reason for secrecy and it does not deny a fair trial to the defendant. Two, the fact it is constitutional. Three, the



common sense needs to have it at a military base. Those all point out that the arguments being used by the other side really in most cases are being fictitious and more directed at trying to ruin the credibility of an Attorney General in an effort to get at the President.

Because when you sit down with most Americans and you say let us talk about security, let us talk about the Constitution, let us talk about the fairness of these trials, let us talk about the history of these trials, you will find agreement. Most Americans are concerned about the security of this Nation. Every American is concerned because it may be them someday.

□ 2300

Every American is concerned that a fair trial be held there, including our United States Supreme Court; and do not believe for one minute that the United States Supreme Court is going to look the other way on a trial that does not allow the defendant a fair trial. That is not going to happen. They would throw it out in a heartbeat, and this is not what we want. We want a fair trial, but we want security for America. Homeland security has to be our number one policy here while staying within the bounds of the Constitution, which we do with military tribunals.

Let me spend my last few minutes on some other facts, and that is, we have heard about these detentions across the country. Once again, a wide distortion of the facts. Currently in the United States of America, remember that these deportations, these are people in violation of some law.

I heard a lawyer tonight on TV who was representing a student whose visa was expired, and he was deeply offended by the fact that this person was detained and questioned by immigration. He is in violation. He should have not been here. He should have gone back to his own country. He was invited as a guest, as a student of this country. His student visa expires, he gets caught, and his lawyer shows up saying, oh my, the wolves are picking on my client.

I do not know why his client is still in the United States of America. I do not know why they do not send him back. Once he is released, they should kick him out of the country. His visa has expired. We have got to enforce our border policies. I am not saying lock down the borders. I never have, but the laws we have, we have got to enforce.

These detentions, there are 20,000 people as we speak, 20,000 plus people as I speak this evening, in immigration detention across this country. We have heard that we have got, oh, probably 5 percent, 600 or 1,000, people in detention for various violations of the law as a result of the September 11 incident, and those people are being questioned.

The distortion of facts is they would have us believe that these people's

names cannot be revealed. The government's not going to give out their names. Why should we? We should not give out their names. All we do is provide the al Qaeda network and other people who do not hold the best interests of the United States of America in their heart, we provide them information of exactly what we are doing.

We cannot deny one of the detainees, one of the people who is being held in detention. They have every right to tell their attorney or to disclose their own name. So their name can be disclosed. We are not just going to do it for them. They can do it if they wish. Their attorney can come out tomorrow morning, have a press conference and say John Jones right here is being detained; he wants everybody to know his name. They are allowed to do that. Do not buy into this distortion that people are being detained and nobody will ever know their names. They will, if those people choose to have their names known.

I think it is important to remember of those 600-and-some-odd people that are being detained, over a hundred of them are being detained on serious Federal charges. We cannot play games here. This is a very serious threat to the United States of America, and I do not have to say it twice because everybody in this room, everybody in this room saw what happened on September 11. We witnessed it. I do not have to play games here.

We better be serious about the investigation of these people. We better not let a few threats, oh, my gosh, you are hurting their feelings, we better put that aside. We have got the security of the United States of America to worry about, and we can count on the fact that these terrorists will strike again. With good investigative work that I would add is constitutional, with good investigative work that I would add is fair, with good investigative work that has common sense to it, we can prevent a lot of these future terrorist acts.

Do not buy into this politically correct theory that any kind of aggressive action by the investigative agencies is somehow a violation of privacy or somehow unconstitutional. All we are doing is asking for it. It is like getting in a fistfight and putting your fists down and saying maybe it is unfair for me to defend myself because you do not hit as fast as I do, so maybe I ought to put my fist down.

That is an analogy. We should not put our guard down. This is a time when we ought to have our guard up, and we ought to use every tool that is constitutional and every tool that allows common sense, frankly; and that is a lot of what this is about, to protect the security of the people of this Nation. We cannot allow these acts of aggression to occur again, if at all we can stop it ahead of time. That is what we need to do in this country.

I ask my colleagues, listen to these detentions; and by the way, as they listen to these interviews that are being

requested, they are not required and we have heard people say, well, it is race profiling because the government has asked people who are visiting this country, they are not asking citizens of this country, they are asking people who are visiting from foreign countries who are visiting, who are guests of the United States of America, they are asking them to voluntarily, not mandatory, they are not being arrested, they are not being detained. The government, the President, our leadership has said, look, you are from the Middle East, you are from these countries, you are visiting our country, could you help us, do you have anything you could tell us, would you come down and talk to us. And you never know, what may not seem important to you is very important to us to try and prevent future acts of terrorism.

These people are not being detained against their will. They are asked voluntarily to come in. Somebody said the other day we are race profiling; all you are doing is asking people of Afghan descent or people from Afghanistan or Arab people or people of Middle East descent to come in.

Well, geez, let me tell my colleagues something. I mentioned earlier I used to be a cop, and once in a while we would be called to the high school for a fight, and guess who we asked questions of when we got to the high school, the students. Now, some would say, well, now wait a minute you better ask the other people, you are just picking on the students. I heard that a lot. You are just picking on the students. Who do you think knows about the fight? It is a student fight. Maybe, maybe the students know the most about it. So we always would ask the students questions.

It is the same thing here. I am just concerned as I have heard the news in the last few days that the further away we get from September 11 the more some people are buying into this argument that some how the United States should continue to proceed with its hands handcuffed behind it; that the United States should not have an advantage, not an unfair advantage, but any kind of advantage.

We had one person suggest at the beginning of the war that maybe we were a bully because we had high-tech weapons. We do not need to pile guilt upon ourselves. We are not the party that started this fight. We are the party that is going to end it, but we are not the party that started this.

As a party, we have a fundamental responsibility not to handcuff our hands behind our back, not to intentionally disadvantage ourselves so that we poke our chin out at the enemy so they can pop it once again.

So I ask all of my colleagues, please give this consideration. My colleagues should always ask if it is constitutional, but the moment they find out it is and there is precedent for it, which there is in all of the cases which I have mentioned this evening, then proceed

to the next point: Does it make common sense? Does it defend the interests of the people of the United States? Does it help prevent future terrorist actions?

It is time to get tough. It is time to roll up our shirt sleeves and say we have had enough of this. We are going to go out, and we are going to stop terrorism once and for all, and that is exactly what our President and his administration is intending on doing, and that is exactly what we should do as Members of the United States Congress. We should support our President, and we should support the Attorney General and our Vice President and Condoleezza Rice and the team and we should go out and do everything we can to do our part in stopping terrorism against the citizens of the United States and against all people of the world.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. DEFazio (at the request of Mr. GEPHARDT) for today on account of personal business.

Mrs. ROUKEMA (at the request of Mr. ARMEY) for today and the balance of the week on account of illness in the family.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. LYNCH) to revise and extend their remarks and include extraneous material:)

Mr. BONIOR, for 5 minutes, today.

Mr. LYNCH, for 5 minutes, today.

Mrs. MALONEY of New York, for 5 minutes, today.

Mr. PALLONE, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

(The following Members (at the request of Mr. CANTOR) to revise and extend their remarks and include extraneous material:)

Mr. GANSKE, for 5 minutes, December 5.

Mr. PENCE, for 5 minutes, today.

Mr. GEKAS, for 5 minutes, December 5 and 6.

Mrs. JO ANN DAVIS of Virginia, for 5 minutes, December 5.

Mrs. MORELLA, for 5 minutes, December 5.

#### ENROLLED BILLS SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled bills and a joint resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 717. An act to amend the Public Health Service Act to provide for research with respect to various forms of muscular

dystrophy, including Duchenne, Becker, limb girdle, congenital, facioscapulohumeral, myotonic, oculopharyngeal, distal, and Emery-Dreifuss muscular dystrophies.

H.R. 1766. An act to designate the facility of the United States Postal Service located at 4270 John Marr Drive in Annandale, Virginia, as the "Stan Parris Post Office building".

H.R. 2261. An act to designate the facility of the United States Postal Service located at 2853 Candler Road in Decatur, Georgia, as the "Earl T. Shinhoster Post Office".

H.R. 2291. An act to extend the authorization of the Drug-Free Communities Support Program for an additional 5 years, to authorize a National Community Antidrug Coalition Institute, and for other purposes.

H.R. 2299. An act making appropriations for the Department of Transportation and related agencies for the fiscal year ending September 30, 2002, and for other purposes.

H.R. 2454. An act to designate the facility of the United States Postal Service located at 5472 Crenshaw Boulevard in Los Angeles, California, as the "Congressman Julian C. Dixon Post Office".

H.J. Res. 71. Joint resolution, amending title 36, United States Code, to designate September 11 as Patriot Day.

#### ADJOURNMENT

Mr. MCINNIS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock and 8 minutes p.m.), the House adjourned until tomorrow, Wednesday, December 5, 2001, at 10 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

4689. A communication from the President of the United States, transmitting authorization of transfers from the Emergency Response Fund for emergency recovery and response and national security activities; (H. Doc. No. 107-153); to the Committee on Appropriations and ordered to be printed.

4690. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-187, "Impacted Resident Economic Assistance Temporary Act of 2001" received December 3, 2001, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

4691. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-184, "Disposal of District Owned Surplus Real Property Temporary Amendment Act of 2001" received December 3, 2001, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

4692. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-183, "Mandatory Autopsy for Deceased Wards of the District of Columbia and Mandatory Unusual Incident Report Temporary Act of 2001" received December 3, 2001, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

4693. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-182, "Public Disclosure of Findings and Information in Cases of Child Fatality or Near Fatality Amendment Act of 2001" received December 3, 2001, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

4694. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-177, "Parking Meter Fee Moratorium Temporary Act of 2001" received December 3, 2001, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

4695. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-174, "Chief Financial Officer Establishment Reprogramming During Non-Control Years Technical Temporary Amendment Act of 2001" received December 3, 2001, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

4696. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-173, "Sentencing Reform Technical Amendment Temporary Act of 2001" received December 3, 2001, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

4697. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-172, "Redevelopment Land Agency-RLA Revitalization Corporation Transfer Temporary Act of 2001" received December 3, 2001, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

4698. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-169, "Citizens with Mental Retardation Substituted Consent for Health Care Decisions Temporary Amendment Act of 2001" received December 3, 2001, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

4699. A letter from the Chairman, Council of the District of Columbia, transmitting a copy of D.C. ACT 14-170, "Closing of a Portion of F Street, N.W., S.O. 99-70, Act of 2001" received December 3, 2001, pursuant to D.C. Code section 1-233(c)(1); to the Committee on Government Reform.

4700. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Bayou Lafourche, LA [CGD08-01-032] received November 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4701. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: New Rochelle Harbor, NY [CGD01-01-195] (RIN: 2115-AE47) received November 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4702. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Hutchinson River, Eastchester Creek, NY [CGD01-01-182] (RIN: 2115-AE47) received November 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4703. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation: Inner Harbor Navigation Canal, LA [CGD08-01-037] received November 16, 2001, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

4704. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Newtown Creek, Dutch Kills, English Kills and their tributaries, NY [CGD01-01-176] received November 16, 2001,